

REMARKS

The Office Action dated July 29, 2008 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

The Office Action of July 29, 2008 presented a combination of restriction requirement/election of species requirement, and the applicants were requested to elect to prosecute one of the following invention and species:

The two inventions are:

Invention I, recited in claims 1-21, directed to a method; and

Invention II, recited in claims 22, directed to a composition.

The two species are:

Species 1, directed to the addition of solid material to the mixture, as recited in claims 9, 14, and 15; and

Species 2, directed to the addition of molten-state materials, as recited in claim 10.

Applicants respectfully elect to prosecute the subject matter of Invention I, recited in claims 1-21, directed to a method. Applicants further respectfully elect to prosecute the subject matter of Species 1, recited in claims 1-9 and 11-22, directed to the addition of solid material to the mixture. However, applicants traverse this restriction requirement, and respectfully submit that all of claims 1-22 are directed to a single invention. Examination of all of claims 1-22 is respectfully requested.

Claim 22 is dependent upon claim 1. Claim 22 therefore contains all of the limitations of claim 1, but, in compliance with U.S. practice, further limits the subject matter of claim 1 by limiting claim 22 to a doped material manufactured by the method of claim 1. Applicants respectfully submit that it is improper to consider claim 22 to be a separate invention from claim 21, under these circumstances.

With respect to the election of species requirement, applicants respectfully request that finding of allowability of any generic claims 1-8, 11-13, and 16-22 should result in examination of non-elected claim 10.

It is further submitted that some lack of clarity is introduced in the Office Action, by indicating Species 1 to be covered only claims 9, 14, and 15; and Species 2 to be indicated in claim 10, while indicating that claims 1-8, 11-13, and 16-22 are generic. Therefore, applicants' election to prosecute the subject matter of Species 1 includes an election to prosecute the subject matter of claims 1-9 and 11-22, which is necessarily includes all generic claims, and Species 1, claims 9, 14 and 15.


In view of the above, the applicants request that all of claims 1-9 and 11-22 be examined as a single invention.

Applicants reserve the right to file a divisional application on the non-elected claims at any point prior to the termination of the proceedings in the subject application.

In the event this paper is not being timely filed, the applicant respectfully petitions for

an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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